

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, February 7, 2002, 7:30 P.M.

777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Zermeno, Williams, Sacks, Caveglia Bogue, Thnay
CHAIRPERSON Halliday
Absent: COMMISSIONER None

Staff Members Present: Anderly, Conneely, Emura, Looney, Patenaude

General Public Present: Approximately 7

PUBLIC COMMENT

There were no public comments.

AGENDA

1. **Conditional Use Permit Application No. PL-2001-0437 - Emad Sari for Webcor Concrete Service (Applicant)/Ruben Diaz for San Antonio Partners LLC (Owners):** Request to Permit an Outdoor Storage Area. The Property is Located at 31145 San Antonio Street in the Industrial (I) Zoning District
2. **Conditional Use Permit Application No. PL-2001-0344 - Family Emergency Shelter Coalition/Nancy Schluntz, Executive Director (Applicant/Owner):** Request to Modify an Existing Use Permit to Allow the Addition of a Counseling Facility to Serve an Existing Transitional Housing Facility in the Medium Density Residential (RM) District and for an Exception to Allow Vehicles to Back Out of a Driveway Where a Forward Motion is Required. The Property is Located at 1276 "C" Street at the Northwest Corner with Third Street
3. **Variance No. PL-2001-0440 - Glorisa Morcoso (Applicant/Owner):** To Permit a Parking Space within a Required Side Yard and Which Does Not Provide Access to Required Parking. The Property is Located at 806 Simon Street in the Medium-Density Residential District - Cottage Special Design District (RMSD -3)

PUBLIC HEARINGS

1. **Conditional Use Permit Application No. PL-2001-0437 - Emad Sari for Webcor Concrete Service (Applicant)/Ruben Diaz for San Antonio Partners LLC (Owners):** Request to Permit an Outdoor Storage Area. The Property is Located at 31145 San Antonio Street in the Industrial (I) Zoning District

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Principal Planner Patenaude described the property and the proposal. He indicated that staff was recommending approval of the conditional use permit subject to the findings and conditions of approval.

The public hearing opened and closed at 7:35 p.m. with no input from the public.

Commissioner Bogue said he had visited the site and it seems ideal for outdoor storage. It is next to the railroad tracks and behind the building. He **moved**, seconded by Commissioner Caveglia, to approve the conditional use permit subject to the findings and conditions of approval.

Commissioner Sacks agreed and added that even though she drove to the site at night, she was pleased to see that this was a very well lighted property.

2. **Conditional Use Permit Application No. PL-2001-0344 – Family Emergency Shelter Coalition/Nancy Schluntz, Executive Director (Applicant/Owner):** Request to Modify an Existing Use Permit to Allow the Addition of a Counseling Facility to Serve an Existing Transitional Housing Facility in the Medium Density Residential (RM) District and for an Exception to Allow Vehicles to Back Out of a Driveway Where a Forward Motion is Required. The Property is Located at 1276 "C" Street at the Northwest Corner with Third Street

Chairperson Halliday recused herself from the discussion and voting on this subject. She noted that she is a member of the Board and might not be able to distance herself from the subject.

Commissioner Bogue moved into the chair.

Principal Planner Patenaude again presented the report and discussed the site. The request is for a counseling center to be located next door to the Shelter. The building has been purchased by FESCO. He indicated that the request includes an exception to the parking ordinance. Staff is recommending the approval of the addition of the counseling center as well as the parking exception.

Commissioner Sacks asked about the relocation of the shed on the rear of the property.

Planning Manager Anderley explained that it was not a significant move.

Commissioner Williams asked about the backing out of the driveway.

The public hearing opened at 7:44 p.m.

Nancy Schluntz, executive director of FESCO, explained that there were a few members in the audience who supported the application who were available to answer questions. She indicated their displeasure with Condition 8 since they already work to keep the site clean. She said this condition makes FESCO responsible for others' litter. She also commented that several of the conditions would require significant dollars to complete.



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Commissioner Williams asked her to point out the conditions, which would create an economic hardship. She noted Conditions 9, 10, 15b, 15d, and 18. Those are the major ones the rest, she noted, they could get volunteers to do.

Commissioner Caveglia thanked Ms. Schluntz for her fine work. He added that he would be pleased to support this item, as it would add to the quality of the work for the organization.

Commissioner Zermeño asked whether she had a recommendation for the time needed to complete those conditions, which would constitute a hardship. He was told a year would help. She did say that they were able to anticipate some funding needs and made an application for further funding. With this amount they could do about half of what is needed. She said they would prioritize as money is available. She noted that their top priority would be to make sure things meet City codes.

The public hearing was closed at 7:51 p.m.

Commissioner Caveglia **moved**, seconded by Commissioner Zermeño, to approve the application and to give FESCO a one-year time extension to comply with all of the Conditions of Approval.

Commissioner Williams added his thanks for their work. He said this is in aid of a most needed segment of society.

Commissioner Thnay said he would echo the sentiments. He then made a suggestion in the carport area, he said make sure there is no landscaping near the driveway for backing out. It would give extra visibility for cars.

The motion passed 6:0, with Chairperson Halliday absenting herself.

- 3. Variance No. PL-2001-0440 - Glorisa Morcoso (Applicant/Owner):** To Permit a Parking Space within a Required Side Yard and Which Does Not Provide Access to Required Parking. The Property is Located at 806 Simon Street in the Medium-Density Residential District - Cottage Special Design District (RMSD -3)

Associate Planner Emura described the zoning ordinance relative to a garage. He explained the zoning in the area as well as the lot and the house. He explained that there is no room for a garage on the property and described the staff recommendation of the variance. He commented on the number of businesses in the area and the lack of street parking.

The public hearing opened at 8:05 p.m.

Glorisa Morcoso, applicant, said she agreed to the conditions except for 4. She indicated that the paving in front of her home is for safety in walking around the house. She indicated that she

could take care of her property to make it safe and convenient. She said she has enough property to plant plants in the planter boxes at the front. She asked for approval of the application without Condition 4.

Commissioner Sacks asked how long the pavement been in front of the house. She was told two years. When she asked about the plastic in the front of her house, Ms. Morcoso said she is planning to plant shrubs and flowers when she has the time.

Commissioner Thnay asked whether it would be possible to designate only two-hour parking on her street. Associate Planner Emura said there is only two-hour parking already on that side. He noted that the sign in front of the dealership applies to the whole block.

Commissioner Bogue asked if, were the walkway were to remain, could they require landscaping for the rest of the empty planters. Associate Planner Emura said they would need to request a variance in order to allow the walkway to remain.

The public hearing closed at 8:17 p.m.

Commissioner Caveglia **moved**, seconded by Commissioner Williams, to approve the Variance to permit the parking space, with permission to allow the concrete to remain. He noted that this is not a typical residential area with all of the businesses nearby. He said he thought the exception would be reasonable in this situation.

Commissioner Bogue said he had a problem with more concrete. This is just a sidewalk. You cannot drive on it or park on it. He said he would like to require the rest of the property to be landscaped for the variance. It would add a lot of relief by planting and paving the sides.

Assistant City Attorney Conneely said to create a variance, it would have to be noticed and has not been. She suggested that the Commission could either just strike the condition of approval regarding the pavement or bring everything back to a following meeting once it is noticed for a new variance.

Commissioner Caveglia said he would like to strike Condition 4. Commissioner Williams agreed.

Chairperson Halliday noted that since the pavement is not subject to this variance, it could be vulnerable to complaint.

Commissioner Bogue said he could not agree to drop the condition, with no further mitigation to add further landscaping. He commented that what the Commission decides would go with the property.

Commissioner Sacks noted that it seems only reasonable to take out condition 4 in this property and in this setting. She commented that with all the concrete around the house, a little relief within the planter boxes would be helpful.

Chairperson Halliday agreed and said she would like to see the appellant remove the plastic and



put in plants.

The motion passed 6:1, with Commissioner Bogue voting "No."

ADDITIONAL MATTERS

4. Oral Report on Planning and Zoning Matters

Planning Manager Anderly mentioned that the month of March would have 3 meetings. She then added that there was interest from three commissioners in attending the conference in Monterey. She noted that Commissioner Sacks had not attended this conference before and all agreed that she could go.

Chairperson Halliday said she thought it would be a good idea to budget more funds for all members to attend this annual workshop/conference. There is a lot to gain by attending. She then asked for further information on the meetings in March and was told they would be on the 1st and 2nd and probably the last Thursdays of the month.

Commissioner Williams expressed further concern regarding Planning Commissioners going to conventions. He said it would be money well spent to allow commissioners to attend, and for them to get the experience. He added that allowing 3 commissioners 3 days in Monterey is not too much to ask. He suggested that the City needed to make accommodations for funding for this. At least the opportunity should be made available.

Chairperson Halliday noted that it is a full packed 3-days of meetings. She commented that she was very excited when she was able to attend, and learned a whole lot. She added that they met full planning commissions from other cities. She said she came excited about the information she learned and said it is a great opportunity to go at least once.

Planning Manager Anderly then told members about the 2001-2002 Ahwahnee Awards Program Design Plan Award which was granted to the City of Hayward for the Hayward Cannery Area Design Plan. She added that should give members further information on the award in the near future.

5. Commissioners' Announcements, Referrals

Commissioner Sacks commented on having driven by Grace and Mission. She noted that there were no cars on the lot, no tow trucks, and no cars in the street being worked on. Congratulations to whoever is responsible for cleaning up that corner.

Commissioner Thnay commented on the conference as well by saying, if not all seven commissioners could attend, it would be nice for at least half of them to be allowed to attend. He added information on a website which displays current traffic conditions on area roads.

Commissioner Zermeno brought an issue of the Chronicle Magazine for Sunday, February 3, in which Hayward was mentioned in an article on "Living Large in Small Spaces."

Commissioner Caveglia commented on a recent planner's newsletter, which included a discussion of inclusionary zoning ordinances.

Commissioner Williams commented on recognizing the jewel of Hayward. He said based on these comments he would like to ask, once again, for council to provide further funding for Commissioners and staff to attend conferences and workshops. In response, Planning Manager Anderly noted that funding had been budgeted for staff to increase their level of education in various ways. She commented that a conference such as the one in Monterey might be redundant for staff since they are usually familiar with the topics being presented.

MINUTES

- January 10, 2002 - Approved
- January 24, 2002 - Approved

ADJOURNMENT

The meeting was adjourned by Chairperson Halliday at 8:45 p.m.

APPROVED:

Francisco Zermeno, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary